IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 216/2007

VIMAL KUMAR Vs. SUSHILA DEVI

DATE: 08.03.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Vishwajeet Mantri for the petitioner.

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The instant criminal revision petition under Section 397 Cr.P.C. is directed against the order dated 12.01.2007 passed by the Additional Chief Judicial Magistrate, Sambhar Lake, District Jaipur in Criminal Regular Case No. 234/2006, whereby the application of the respondent-wife moved under Section 125 Cr.P.C. has been allowed and interim maintenance of Rs. 2,000/- per month has been granted in favour of the respondent from the date of filing of the application i.e. 26.06.2006.

Learned counsel for the petitioner prayed that the interim maintenance awarded by the Court below should be awarded from date of passing of the order i.e. 12.01.2007, whereas the same has been awarded from the date of filing of the application i.e. 26.06.2006.

Having considered the submissions made by the learned counsel for the petitioner and looking to the facts and circumstances of the case, in the interest of justice, I deem it proper to modify the impugned order dated 12.01.2007 passed by the Additional Chief Judicial Magistrate, Sambhar Lake, District Jaipur to the extent that the order of interim maintenance will be effective from the date of passing of the order i.e. 12.01.2007 and not from the date of filing of the application i.e. 26.06.2006.

Accordingly, the impugned order dated 12.01.2007 passed by the Additional Chief Judicial Magistrate, Sambhar Lake, District Jaipur is modified as indicated herein above and the revision petition stands disposed of.

(K.S. RATHORE),J.

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